

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF OREGON

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4 THE HON. THOMAS M. COFFIN, JUDGE PRESIDING

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UNITED STATES OF AMERICA,

Government,

v.

PIROUZ SEDAGHATY, et al.,

Defendants.

No. 05-60008-HO

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EUGENE, OREGON

MONDAY, DECEMBER 17, 2007

PAGES 1 - 9

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PROCEEDING

MONDAY, DECEMBER 17, 2007

THE CLERK: United States of America versus Pirouz Sedaghaty, Case No. 05-60008, time set for oral argument on first motion for discovery.

MR. CARDANI: Judge, may I confer with the clerk for a moment?

THE COURT: Pardon?

MR. CARDANI: May I confer with Christy for a moment?

THE COURT: Yes.

MR. CARDANI: Thank you, Your Honor. We are proceeding apace on discovery, and we are in the final stages of finalizing a protective order for discovery. We have met with counsel a few times and by phone, e-mail, and we are about there. So we will be transmitting the first batch of discovery this week.

We have met with Mr. Wax and Mr. Matasar, and we have a proposed schedule of events that we would like to tender to the court.

And correct me if I'm wrong, counsel, but we spoke about another status conference in February of 2008, a necessity to move the trial back by several months, and we talked about the possibility of a trial date this fall. And if so, if those dates are acceptable to the court, we will

1 need to either get a continuance under the Speedy Trial Act
2 or have this case deemed complex under the Speedy Trial Act
3 and taken outside the strictures of the Speedy Trial Act.

4 THE COURT: Have I already done that?

5 MR. MATASAR: Hasn't it previously been designated
6 complex?

7 THE COURT: Yeah. All right. That's just what I
8 was checking on. We have already designated it as a complex
9 case.

10 MR. CARDANI: Very good.

11 THE COURT: So is everyone in agreement on those
12 dates? February for status and the fall for trial?

13 MR. MATASAR: Yes, Your Honor. The only other
14 thing I would ask is that Mr. Gorder indicates that he has
15 something on his calendar which he thinks relates to this
16 case on February 16th.

17 MR. GORDER: 19th.

18 MR. MATASAR: 19th, which I didn't have on mine,
19 so let's make sure that there is or isn't something on the
20 19th before we go too much further.

21 THE COURT: Okay. We'll check right now. You
22 have something scheduled you think for the 19th?

23 MR. GORDER: Yes, Your Honor. I had on my
24 calendar something before Judge Hogan on the 19th at 1:30.

25 THE COURT: So would you prefer, then, to do it

1 the same day if that's -- the status conference the same
2 day?

3 MR. MATASAR: I'm not sure, Your Honor. I don't
4 have that on my --

5 THE COURT: Well, let's see what it is, if
6 anything.

7 THE CLERK: Currently you have a trial date set
8 for April 16th before Judge Hogan, and you have a status
9 conference before this court, before Judge Coffin, on
10 February 19th at 1:30.

11 THE COURT: It's before me.

12 MR. MATASAR: Right. So maybe we should just have
13 this -- have the conference that we were discussing on the
14 February 19th at 1:30.

15 THE COURT: Right. Okay. And then we'll adjust
16 the trial date. September? October?

17 MR. WAX: October is what we were talking about.

18 THE COURT: All right. How many days do you
19 estimate this case will take to try?

20 MR. CARDANI: Ballpark --

21 THE COURT: It's hard for the defense to say until
22 they see the discovery, but does the government have --

23 MR. CARDANI: I'd ballpark a week right now, Your
24 Honor.

25 THE COURT: All right. What do we have in October

1 for about a week-long jury trial?

2 Does October work for the defense?

3 MR. MATASAR: Oh, yes. Oh, sure. I'm sorry.

4 THE CLERK: October 8th, 2008, 9:00 a.m., trial
5 before Judge Hogan.

6 MR. MATASAR: Well, the good news is this will
7 definitely put the Cubs in the World Series. If I have a
8 three-week trial or something starting on the 8th, this will
9 definitely be the thing that puts them in the World Series.

10 THE COURT: You may be right.

11 MR. CARDANI: Judge, I think the only other matter
12 is the protective order that I talked about. We should have
13 this thing finalized perhaps by this afternoon, and we
14 anticipate filing that with Your Honor as soon as it's been
15 signed.

16 THE COURT: All right. Okay. Very well. So
17 we'll exclude all time necessary as complex litigation to
18 make that trial date work.

19 MR. WAX: At this point we are suggesting that you
20 strike any deadline for filing motions and that a motions
21 deadline be set on the February date, if that's agreeable.

22 THE COURT: All right. That's fine. Makes sense.

23 MR. MATASAR: The only other thing, Your Honor, I
24 think you set that February date maybe six weeks or a month
25 before the trial, and we probably should do the same, if you

1 want to put something here.

2 THE COURT: We'll do that in February.

3 MR. MATASAR: Okay.

4 THE COURT: We'll see where you are in terms of
5 the discovery and whether the trial date is on track.

6 THE CLERK: Counsel, would you like to set your
7 motion over for discovery to February as well?

8 MR. WAX: Our suggestion would be to strike any
9 date for hearing that, and on the February date, if
10 necessary, we would then set a date for government response
11 to the discovery motion as well.

12 THE COURT: All right. And we'll just continue
13 the scheduling for a response to the motion for discovery
14 until February 19th.

15 MR. WAX: Judge, one other matter, if we could
16 today, just so that we are ensuring that we are covering
17 what is needed for Mr. Sedaghaty.

18 The release order requires him to provide any
19 change of address to the court, pretrial, and the
20 government. He has not changed his address. Pretrial did
21 authorize him to obtain a post box, which he has and which
22 Ron Wodehouse and the pretrial office in Medford has.

23 I just want to make the court aware of that. I
24 assume, since pretrial has it, the court has it, and for the
25 government's information it's PMB 512.

1 MR. CARDANI: In Medford?

2 MR. WAX: Ashland.

3 MR. CARDANI: I'm sorry. Ashland.

4 THE COURT: This is a post office box?

5 MR. WAX: Yes. Go ahead. My client will explain
6 this.

7 MR. MATASAR: I can do it, Your Honor. It's a PO
8 box-like system at a UPS office. It's 2305C Ashland Street,
9 No. PMB 512.

10 THE COURT: That's just where he gets mail.

11 MR. WAX: That's correct.

12 MR. MATASAR: Yes. The people where he was
13 staying he was getting -- you know, he gets mail, and we
14 thought it would be better to talk to Ron Wodehouse.

15 THE COURT: All right.

16 MR. WAX: And while it's not a change in address,
17 we just wanted to be sure we are ahead of the curve.

18 THE COURT: Last time I checked you couldn't go
19 live in a post office box.

20 THE CLERK: This court's in recess.

21 MR. CARDANI: Thank you, Judge.

22 *(The proceedings were concluded this*
23 *17th day of December, 2008.)*
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1 I hereby certify that the foregoing is a true and
2 correct transcript of the oral proceedings had in the
3 above-entitled matter, to the best of my skill and ability,
4 dated this 24th day of July, 2008.

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7 
8 Kristi L. Anderson, Certified Realtime Reporter

